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JAZWARES, LLC
7

8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10

11 JAZWARES, LLC,
12 Plaintiff,
13 v.

14 EMMANUEL JOSE PEREZ and
DOES 1-10,
15 Defendants.
16

Case No.
COMPLAINT
DEMAND FOR JURY TRIAL

1 Plaintiff Jazwares, LLC (“Jazwares”) alleges the following with personal
2 knowledge as to its own actions and on information and belief as to all other matters.

3 **I.**

4 **JURISDICTION**

5 1. This is an action for violation of the Defend Trade Secrets Act, 18
6 U.S.C. § 1836, and Sections 32 and 43 of the Lanham Act, 15 U.S.C. §§ 1114 &
7 1125, as well as infringement of Jazwares’ rights under California state law. The
8 Court has federal question jurisdiction over the action and the federal claims under
9 28 U.S.C. § 1331 and supplemental jurisdiction over the state law claims under 28
10 U.S.C. § 1367. The Court also has diversity jurisdiction over the entire action under
11 28 U.S.C. § 1332 because Jazwares and Defendant are citizens of different states and
12 the amount in controversy exceeds \$75,000.

13 2. Venue is proper in this Federal District Court because Defendant resides
14 within the boundaries of the district.

15 **II.**

16 **DIVISIONAL ASSIGNMENT**

17 3. This Complaint includes an intellectual property cause of action, an
18 excepted category under Civil Local Rule 3-2(c), and consequently should be
19 assigned on a District-wide basis. Upon information and belief, a substantial part of
20 the events giving rise to Jazwares’ claims occurred in the County of Santa Clara.
21 Upon information and belief, a substantial part of the property that is the subject of
22 this action is situated in the County of Santa Clara.

23 **III.**

24 **SUMMARY OF ACTION**

25 4. This action arises from Defendant Emmanuel Jose Perez’s
26 (“Defendant”) illegal and unauthorized disclosure and sale of Jazwares’ trade secrets
27 and knowing trafficking in stolen samples and prototypes of All Elite Wrestling
28 (“AEW”) action figures that Jazwares never approved for public release, let alone

1 sale. Defendant has willfully misused Jazwares' trade secrets and illegally obtained
 2 and sold unauthorized samples and prototypes of its action figures in order to enrich
 3 himself and to increase his notoriety on social media. He has rebuffed Jazwares'
 4 efforts to resolve the dispute voluntarily without resort to litigation, mocking
 5 Jazwares' cease-and-desist letters on Facebook and Instagram and flouting his
 6 obligations to comply with the law and to avoid further trade secret misappropriation,
 7 conversion, unfair competition, and trademark misuse. Instead of stopping when
 8 Jazwares contacted him, Defendant instead doubled down and increased the
 9 frequency of his unlawful misuse of Jazwares' confidential information and his
 10 unauthorized trafficking in illegally obtained AEW action figure product samples
 11 and prototypes during December 2021 and January 2022.

12 5. Enough is enough. Jazwares can no longer stand by while Defendant's
 13 flagrant misconduct threatens both its relationships with licensors and vendors, who
 14 rely on its diligent protection of trade secret information and carefully planned
 15 marketing and distribution strategies, and its reputation in the toy industry as a
 16 company with strong quality controls, which assure consumers that toys sold under
 17 the AEW and Jazwares trademarks are of the high quality they have come to expect.

18 6. Jazwares therefore brings this lawsuit, asserting claims for
 19 misappropriation of trade secret, conversion, unfair competition under state and
 20 federal law, and under federal trademark law to protect its interests and to put a stop
 21 to Defendant's open and willful violations of the law once and for all.

22 IV.

23 THE PARTIES

24 7. Jazwares is a limited liability company organized under the laws of
 25 Delaware, with its principal place of business in Broward County, Florida.

26 8. Defendant is an individual who resides in the County of Santa Clara,
 27 California.

9. The true names and capacities of defendants sued herein as DOES 1-10, inclusive, are unknown to Jazwares, who therefore sues said defendants by such fictitious names. Jazwares will amend this Complaint to allege their true names and capacities when the same are ascertained.

10. Upon information and belief, at all relevant times mentioned in this Complaint, Defendants, and each of them, were acting in concert and active participation with each other in committing the wrongful acts alleged herein, and were the agents of each other and were acting within the scope and authority of that agency and with the knowledge, consent, and permission of one another. Upon information and belief, the defendants sued herein as DOES 1-10 are working in concert to provide Defendant with access to Jazwares' trade secrets and illegally obtained product samples and prototypes.

V.

FACTUAL ALLEGATIONS

A. Jazwares' Careful Protection of Trade Secrets and Confidential Information About AEW Action Figures

11. Jazwares is a global leader in toys and licensing. Its subsidiaries and affiliates manufacture and sell some of the world's most popular toys. One of Jazwares' successful toys is a line of action figures in the images of well-known AEW wrestlers. AEW granted Jazwares an exclusive license to use various AEW trademarks and the names and images of its wrestlers in the development of the action figures, which generate tens of millions of dollars in sales annually.

12. Jazwares' AEW action figures are collectible toys. As a result, Jazwares commonly releases them in small batches of between 500 and 5,000 toys, which appeals to collectors.

13. Jazwares carefully designs marketing and distribution plans, including timelines for the development and release of new AEW action figures, to assure the success of its business. Jazwares, its licensors and its vendors rely on these plans in

1 managing their businesses and any deviation from these plans is costly, both in terms
2 of monetary and reputational loss.

3 14. Jazwares has taken careful steps to ensure the confidentiality of
4 information about AEW action figures that have not yet been released. It also
5 closely guards the confidentiality of future marketing and distribution plans for AEW
6 action figures.

7 15. Jazwares does not authorize the release or sale of samples, prototypes,
8 unreleased products, final engineering pilots (“FEPs”) for future products, or
9 confidential designs for future products.

10 16. FEP samples and prototypes are typically marked with ink at the factory
11 to make clear that they are not to be released to the public.

12 17. The packaging for FEP samples and prototypes is typically crushed at
13 the factory to further demonstrate that the samples and prototypes are not to be
14 released to the public.

15 18. Jazwares’ product samples, prototypes, and FEPs are kept securely at
16 Jazwares’ facilities to prevent unauthorized release prior to their destruction. In
17 addition to maintaining the confidentiality of its trade secret product development
18 information, Jazwares prevents the release of its samples, prototypes and FEPs as a
19 quality control measure, in order to assure that the action figures that are released to
20 the public meet the exacting quality standards that consumers have come to expect
21 from Jazwares.

22 19. Jazwares’ extensive efforts to maintain the secrecy and confidentiality
23 of its samples, prototypes, and FEPs and to prevent their unauthorized public release
24 have been very successful and the unauthorized release of samples and prototypes
25 and FEPs is very rare.

26 **B. Jazwares Learns of Defendant’s Illegal Conduct**

27 20. In the summer of 2021, Jazwares became aware of an Instagram account
28 on which a user by the name of “Prince Unmatched” had posted photographs of

1 Jazwares' AEW action figures, including photographs of samples and prototypes and
 2 FEPs, and notably of products that Jazwares had not yet authorized for public
 3 release.

4 21. After additional internet searches, Jazwares learned that the "Prince
 5 Unmatched" Instagram account is operated by Defendant.

6 22. In June 2021, Jazwares commented on one of Defendant's Instagram
 7 posts that depicted illegally obtained prototypes of AEW action figures and admitted
 8 to selling them and informed him that the purchase and sale of prototypes of
 9 Jazwares' AEW action figures constituted illegal trafficking in stolen property.
 10 Defendant ignored the warning.

11 23. In August and September of 2021, Defendant posted numerous images
 12 of illegally obtained samples and prototypes of Jazwares' AEW action figures,
 13 including toys that had not yet been released for sale to the public.

14 24. In these posts, Defendant repeatedly admits that the AEW action figures
 15 are "sample[s]" and "[p]re-production" prototypes.

16 25. Defendant further explains that he knows how to identify which action
 17 figures are samples and prototypes based on the markings on the action figures.

18 26. Defendant even admits that he purchases the sample and prototype
 19 action figures from an unknown person and then resells them online for as much as
 20 \$400 each.

21 27. Upon information and belief, Defendant acquires samples, prototypes,
 22 and FEPs of Jazwares' AEW action figures from an unknown person affiliated with
 23 one of the third-party factories in China where Jazwares' AEW action figures are
 24 manufactured.

25 **C. Defendant Mocks Jazwares' Requests That He Stop His Unlawful**
 26 **Conduct**

27 28. Jazwares sent Defendant a cease-and-desist letter at the end of
 28 September 2021 and another at the beginning of October 2021.

29. In its letters, Jazwares again informed Defendant that he was misappropriating their trade secrets and illegally trafficking in samples, prototypes, and FEPs of Jazwares AEW action figures, which Jazwares has not authorized for release to the public.

30. Defendant never replied to Jazwares. Instead he posted sarcastic and profane responses on his social media accounts, changed his Instagram account design to mock Jazwares' own account, and continued to flout his legal obligations, often openly.

D. Defendant's Illegal Conduct Increases In December 2021 And January 2022

31. Between December 3, 2021, and January 3, 2022, Defendant has accelerated his illicit activities by knowingly posting no less than thirteen images of illegally obtained samples and prototypes of AEW action figures that Jazwares has not authorized for release to the public.

32. In these posts, Defendant makes clear that he knows he is posting images of illegally obtained samples and prototypes. In two posts, Defendant refers to the action figure as a sample. In another, he refers to the action figure as an FEP prototype of a future product.

33. Defendant even went so far as to post images that revealed a previously undisclosed partnership between Jazwares and the Upper Deck company to include collectible trading cards in AEW action figure packages. Absent Defendant's posts, this partnership would have remained entirely confidential until January 6, 2022. Defendant admits in the post that he knew that the partnership between Jazwares and Upper Deck was confidential prior to his unauthorized disclosure.

FIRST CAUSE OF ACTION

(Defend Trade Secrets Act, 18 U.S.C. § 1836)

34. Jazwares repeats and realleges each and every allegation above as if set forth herein.

1 35. Jazwares owns various trade secrets, including the samples and
2 prototypes and FEPs for its AEW action figures and future marketing and
3 distribution plans for the toys.

4 36. Jazwares' samples and prototypes and FEPs derive value from being
5 unknown to the public because they contain information about Jazwares' confidential
6 product development processes and, when they relate to products that have not yet
7 been released for sale, contain information about undisclosed or prospective
8 relationships with licensing partners like Upper Deck, as well as information about
9 future releases of AEW action figures, which are particularly valuable in the
10 collectible action figures market.

11 37. Jazwares has invested substantial resources to keep its samples and
12 prototypes and FEPs secret, including by refusing to authorize the release of samples
13 and prototypes, by marking samples and prototypes to indicate that they should not
14 be released to the public, crushing the packaging for samples and prototypes to
15 indicate that they should not be released to the public, and keeping samples and
16 prototypes in Jazwares' secure facilities before they are destroyed.

17 38. Jazwares' efforts to keep its FEP samples and prototypes and other pre-
18 release information about its action figures confidential have been highly effective.
19 Other than Defendant's transgressions, public release or disclosures of samples and
20 prototypes or pre-release information is very unusual.

21 39. Defendant has misappropriated Jazwares' trade secrets by illegally
22 acquiring Jazwares' samples and prototypes and FEPs without Jazwares'
23 authorization, in violation of Jazwares' strict policy of not releasing samples and
24 prototypes.

25 40. On information and belief, Defendant is illegally acquiring Jazwares'
26 samples and prototypes and FEPs from rogue employees at one or more third-party
27 factories in China where Jazwares' AEW action figures are manufactured. The
28 factories where the AEW action figures are manufactured owe Jazwares a contractual

1 duty not to release samples and prototypes to third parties. Defendant's acquisition of
2 samples and prototypes of AEW action figures represents a breach of this duty.

3 41. Defendant has further misappropriated Jazwares' trade secrets by
4 disclosing and selling Jazwares' samples and prototypes and FEPs without Jazwares'
5 authorization and despite Jazwares' specific demand that Defendant cease-and-desist
6 the illegal disclosure and sale of Jazwares' samples and prototypes and FEPs.

7 42. Jazwares has been damaged by Defendant's misappropriation of its
8 trade secrets, which threatens to deprive Jazwares of its ability to control the quality
9 of its goods and to damage its reputation among consumers and business partners and
10 its valuable relationships with licensing partners and vendors.

11 43. Defendant's misappropriation of Jazwares' trade secrets is willful and
12 malicious because Defendant states in the social media posts that he knows he is
13 selling unreleased samples and prototypes and FEPs. Defendant has also continued to
14 sell samples and prototypes and FEPs of Jazwares' AEW action figures after
15 Jazwares informed Defendant that his actions are illegal and inappropriate
16 Jazwares' trade secrets.

17 44. Jazwares has no adequate remedy at law for Defendant's
18 misappropriation and misuse of its trade secrets and is entitled to preliminary and
19 permanent injunctive relief directing him to stop.

20 45. Jazwares is further entitled to an award of exemplary damages and
21 reasonable attorneys' fees and costs.

22 **SECOND CAUSE OF ACTION**

23 (California Uniform Trade Secrets Act, Cal. Civ. Code § 3426)

24 46. Jazwares repeats and realleges each and every allegation above as if set
25 forth herein.

26 47. Jazwares owns various trade secrets, including the samples and
27 prototypes and FEPs of AEW action figures.

1 48. Jazwares' samples and prototypes and FEPs derive value from being
2 unknown to the public because they contain information about Jazwares' confidential
3 product development processes and, when they relate to products that have not yet
4 been released for sale, contain information about undisclosed or prospective
5 relationships with licensing partners like Upper Deck, as well as information about
6 future releases of AEW action figures, which are particularly valuable in the
7 collectible action figures market.

8 49. Jazwares has invested substantial resources to keep its samples and
9 prototypes and FEPs secret, including by refusing to authorize the release of samples
10 and prototypes, by marking samples and prototypes to indicate that they should not
11 be released to the public, crushing the packaging for samples and prototypes to
12 indicate that they should not be released to the public, and keeping samples and
13 prototypes in Jazwares' secure facilities before they are destroyed.

14 50. Jazwares' efforts to keep its FEP samples and prototypes and other pre-
15 release information about its action figures confidential have been highly effective.
16 Other than Defendant's transgressions, public release or disclosures of samples and
17 prototypes and FEPs or pre-release information is very unusual.

18 51. Defendant has misappropriated Jazwares' trade secrets by illegally
19 acquiring Jazwares' samples and prototypes and FEPs without Jazwares'
20 authorization, in violation of Jazwares' strict policy of not releasing samples and
21 prototypes and FEPs.

22 52. On information and belief, Defendant is illegally acquiring Jazwares'
23 samples and prototypes and FEPs from rogue employees at one or more third-party
24 factories in China where the AEW action figures are manufactured. The factories
25 where the AEW action figures are manufactured owe Jazwares a contractual duty not
26 to release samples and prototypes and FEPs to third parties. Defendant's acquisition
27 of samples and prototypes of AEW action figures represents a breach of this duty.
28

53. Defendant has further misappropriated Jazwares' trade secrets by disclosing and selling Jazwares' samples and prototypes and FEPs without Jazwares' authorization and despite Jazwares' specific demand that Defendant cease-and-desist the illegal disclosure and sale of Jazwares' samples and prototypes and FEPs.

54. Jazwares has been damaged by Defendant's misappropriation of its trade secrets, which threatens to deprive Jazwares of its ability to control the quality of its goods and to damage its reputation among consumers and business partners and its valuable relationships with licensing partners and vendors.

55. Defendant's misappropriation of Jazwares' trade secrets is willful and malicious because Defendant states in the social media posts that he knows he is selling unreleased samples and prototypes and FEPs. Defendant has also continued to sell samples and prototypes and FEPs of Jazwares' AEW action figures after Jazwares informed Defendant that his actions are illegal and inappropriate Jazwares' trade secrets.

56. Jazwares has no adequate remedy at law for Defendant's misappropriation and misuse of its trade secrets and is entitled to preliminary and permanent injunctive relief directing him to stop.

57. Jazwares' is further entitled to an award of exemplary damages and reasonable attorneys' fees and costs.

THIRD CAUSE OF ACTION

(Section 43(a) of the Lanham Act, 15 U.S.C. § 1125(a)(1)(A))

58. Jazwares repeats and realleges each and every allegation above as if set forth herein.

59. Defendant's illegal sale of action figure samples, prototypes, and FEPs that bear the AEW trademarks, and posting photographs of them, constitute use of a word, term, symbol, name, device, or any combination thereof, and false or misleading representations of fact in connection with Jazwares' AEW action figures, which are likely to cause confusion, mistake, or deception as to the affiliation,

1 connection, or association of Jazwares with Defendant or the toys he posts about and
2 sells, or as to the origin, and Jazwares' sponsorship or approval of the toys sold and
3 posted by Defendant or his commercial activities.

4 60. Defendant's illegal sale of action figure samples, prototypes and FEPs
5 that bear the AEW trademarks, and posting photographs of them, undoubtably
6 misleads consumers about whether Jazwares approves the public release and sale of
7 such items, who Defendant's source was, and whether Jazwares' AEW action figures
8 are subject to appropriate quality controls, such that consumers know the toys will
9 meet Jazwares' high quality standards when they purchase them.

10 61. Defendant's posts and sales of the samples and prototypes and FEPs are
11 at the very least misleading as to whether the samples and prototypes and FEPs come
12 from Jazwares, which does not authorize their release under its licensed marks, as
13 opposed to coming from a rogue employee at a third-party factory who is stealing
14 and selling or otherwise distributing them without authorization.

15 62. Defendant's posts and sales of the samples and prototypes and FEPs are
16 similarly misleading and likely to cause confusion about whether Jazwares approves
17 the release of these samples and prototypes, which it does not, or is affiliated,
18 connected, or associated with them as items for sale or public release, which it is not.

19 63. Defendant's sale of samples, prototypes and FEPs is also likely to create
20 confusion about whether Defendant is associated with Jazwares or AEW or
21 otherwise authorized to promote and sell these items, which he is not.

22 64. Defendant uses the challenged words, terms, symbols, names, devices,
23 or combinations thereof, and makes the false or misleading representations of fact in
24 interstate commerce because Defendant sells the samples and prototypes and FEPs
25 and posts about them on the internet.

26 65. Defendant uses the challenged words, terms, symbols, names, devices,
27 or combinations thereof, and makes the false or misleading representations of fact in
28

1 connection with goods because Defendant sells and posts about samples and
2 prototypes and FEPs of Jazwares' AEW action figures, which are goods.

3 66. Jazwares has been damaged because Defendant's uses of the challenged
4 words, terms, symbols, names, devices, or combinations thereof, and false or
5 misleading representations of fact have deprived Jazwares of control over the quality
6 of its goods, its reputation among consumers and business partners, and its valuable
7 relationships with licensing partners and vendors.

8 67. Defendant's violations of the Lanham Act constitute an exceptional case
9 because Defendant has knowingly and willfully trafficked in stolen products bearing
10 the AEW trademarks and has continued to violate Jazwares' rights under the Lanham
11 Act and mocked and flouted his legal obligations, even after being put on notice by
12 Jazwares that his conduct is illegal.

13 68. Jazwares is entitled to an award of treble damages and reasonable
14 attorneys' fees and costs.

15 **FOURTH CAUSE OF ACTION**

16 (Section 32 of the Lanham Act, 15 U.S.C. § 1114)

17 69. Jazwares repeats and realleges each and every allegation above as if set
18 forth herein.

19 70. Jazwares is AEW's exclusive licensee for action figures in the United
20 States.

21 71. Defendant uses the AEW trademarks without permission when he
22 illegally sells samples and prototypes and FEPs of the AEW action figures because
23 the figures are marked with the AEW trademarks.

24 72. There is a high likelihood of consumer confusion from Defendant's
25 unauthorized sale of samples and prototypes and FEPs because these items use the
26 same AEW trademarks as Jazwares' legitimate and authorized AEW action figures.

27 73. The samples, prototypes and FEPs are materially different from the final
28 AEW action figures that Jazwares authorizes for distribution and sale. The material

1 differences include material differences in the design, coloring, clothing and
2 packaging of the toys.

3 74. Defendant's unauthorized sale of samples, prototypes and FEPs that
4 Jazwares does not authorize for public release is likely to cause confusion about the
5 sufficiency of Jazwares' quality controls to assure the quality that consumers expect
6 of toys sold under the AEW marks.

7 75. Defendant knowingly markets and promotes samples and prototypes and
8 FEPs using the AEW trademarks to benefit from the value of those marks amongst
9 collectors of AEW action figures. He does so to enrich himself and to enhance his
10 reputation on social media.

11 76. Jazwares has been damaged because Defendant's infringement of the
12 AEW trademarks threatens Jazwares' control over the quality of its goods, its
13 reputation among consumers and business partners, and its valuable relationships
14 with licensing partners and vendors.

15 77. Defendant's violations of the Lanham Act constitute an exceptional case
16 because Defendant has knowingly and willfully trafficked in stolen products bearing
17 the AEW trademarks and has continued to violate AEW's rights under the Lanham
18 Act and mocked and flouted his legal obligations, even after being put on notice by
19 Jazwares that his conduct is illegal.

20 78. Jazwares is entitled to an award of treble damages and reasonable
21 attorneys' fees and costs.

22 **FIFTH CAUSE OF ACTION**

23 (Unlawful Business Practices, Cal. Bus. & Prof. Code § 17200)

24 79. Jazwares repeats and realleges each and every allegation above as if set
25 forth herein.

26 80. Defendant has violated numerous laws, including Defend Trade Secrets
27 Act, 18 U.S.C. § 1836, the California Uniform Trade Secrets Act, Cal. Civ. Code
28 § 3426, Section 32 of the Lanham Act, 15 U.S.C. § 1114, and Section 43(a) of the

1 Lanham Act, 15 U.S.C. § 1125(a)(1)(A). His misconduct also constitutes conversion
 2 under California law and criminal theft or larceny and trafficking in stolen property,
 3 in violation of Sections 484 and 496 of the California Penal Code

4 81. Defendant's violations of these laws are a business practice.
 5 Defendant's business of illegally reselling samples and prototypes and FEPs of
 6 Jazwares' AEW action figures and posting about them is predicated on his unlawful
 7 acquisition and sale of samples and prototypes and FEPs and unauthorized disclosure
 8 of Jazwares' trade secrets.

9 82. Jazwares has been damaged by Defendant's unlawful business practices
 10 because Defendant has received ill-gotten gains, including profits from the illegal
 11 sale of samples and prototypes and FEPs of Jazwares' AEW action figures and
 12 Defendant's illegal possession of the samples and prototypes and FEPs themselves,
 13 and because his misconduct threatens Jazwares relationships with licensors and
 14 business partners and its reputation in the toy industry and with consumers.

15 **SIXTH CAUSE OF ACTION**

16 (Unfair Business Practices, Cal. Bus. & Prof. Code § 17200)

17 83. Jazwares repeats and realleges each and every allegation above as if set
 18 forth herein.

19 84. Defendant has engaged in unfair activities that threaten to harm, and
 20 have in fact harmed, competition, including by misappropriating Jazwares' trade
 21 secrets, illegally obtaining, selling, and posting product samples and prototypes and
 22 FEPs that Jazwares does not authorize for public release, and infringing on the AEW
 23 trademarks.

24 85. Defendant's violations of these laws are a business practice.
 25 Defendant's business of illegally reselling samples and prototypes and FEPs of
 26 Jazwares' AEW action figures and posting about them is predicated on his unlawful
 27 acquisition and sale of samples and prototypes and FEPs and unauthorized disclosure
 28 of Jazwares' trade secrets.

86. Jazwares has been damaged by Defendant's unlawful business practices because Defendant has received ill-gotten gains, including profits from the illegal sale of samples and prototypes and FEPs of Jazwares' AEW action figures and Defendant's illegal possession of the samples and prototypes and FEPs themselves, and because his misconduct threatens Jazwares relationships with licensors and business partners and its reputation in the toy industry and with consumers.

SEVENTH CAUSE OF ACTION

(Conversion)

87. Jazwares repeats and realleges each and every allegation above as if set forth herein.

88. Jazwares owns and has a right to possess samples and prototypes and FEPs of its AEW action figures.

89. Defendant has knowingly acted inconsistently with Jazwares' property rights in the samples and prototypes and FEPs of the AEW action figures by illegally acquiring the samples and prototypes and FEPs that are not authorized for public release and then selling the samples and prototypes and FEPs to persons on the internet, all without Jazwares' consent.

90. Jazwares has been damaged by Defendant's interference with Jazwares' property rights in the samples and prototypes and FEPs of the AEW action figures because Defendant's possession and sale of the samples and prototypes and FEPs denies Jazwares control over the quality of its goods, control over its reputation, and control over its relationships with its licensing partners and vendors.

PRAYER FOR RELIEF

WHEREFORE, Jazwares respectfully requests the following relief:

A. That the Court enter judgment in favor of Jazwares and against Defendant;

B. That the Court preliminarily and permanently enjoin Defendant's wrongful conduct;

1 C. That the Court enter an order requiring Defendant to provide an
 2 accounting of all samples, prototypes, and FEPs of Jazwares' AEW action figures
 3 and images thereof that he has ever possessed;

4 D. That the Court enter an order authorizing the seizure of any samples,
 5 prototypes and FEPs of Jazwares' AEW action figures and images thereof that are
 6 currently in Defendant's possession;

7 E. That the Court order Plaintiff to disgorge all revenues received from his
 8 sale of samples, prototypes, and FEPs of Jazwares' AEW action figures and images
 9 thereof;

10 F. That the Court award Jazwares compensatory and exemplary damages,
 11 in an amount to be determined at trial;

12 G. That the Court award Jazwares its costs and reasonable attorneys' fees;
 13 and

14 H. That the Court grant Jazwares such other and further relief as it deems
 15 just and proper.

16 **JURY DEMAND**

17 Jazwares demands a trial by jury as to all issues so triable.

18
 19 Dated: January 6, 2022

JOHN C. ULIN
 ERIC M. SEFTON
 TROYGOULD PC

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 21
 22 By: /s/ John C. Ulin
 23 JOHN C. ULIN
 Attorneys for Plaintiff
 24 JAZWARES, LLC
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